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LRB094 07871 LCB 42833 a

1 AMENDMENT TO HOUSE BILL 1389

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 1389 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Municipal Code is amended by  
5 changing Section 11-15.1-2.1 as follows:

6 (65 ILCS 5/11-15.1-2.1) (from Ch. 24, par. 11-15.1-2.1)  
7 Sec. 11-15.1-2.1. Annexation agreement; municipal  
8 jurisdiction.

9 (a) Property that is the subject of an annexation agreement  
10 adopted under this Division is subject to the police power,  
11 land use and other ordinances, control, and jurisdiction of the  
12 annexing municipality in all respects the same as property that  
13 lies within the annexing municipality's corporate limits. The  
14 ordinances, control, and jurisdiction of the annexing  
15 municipality shall divest those of other units of government  
16 having or claiming prior jurisdiction.

17 (b) This Section shall not apply in (i) a county with a  
18 population of more than 3,000,000, (ii) a county that borders a  
19 county with a population of more than 3,000,000 or (iii) a  
20 county with a population of more than 246,000 ~~according to the~~  
21 ~~1990 federal census~~ and bordered by the Mississippi River,  
22 unless the parties to the annexation agreement have, at the  
23 time the agreement is signed, ownership or control of all  
24 property that would make the property that is the subject of

1 the agreement contiguous to the annexing municipality, in which  
2 case the property that is the subject of the annexation  
3 agreement is subject to the police power, land use and other  
4 ordinances, control, and jurisdiction of the municipality in  
5 all respects the same as property owned by the municipality  
6 that lies within its corporate limits.

7 (c) This Section shall not apply to areas that are not  
8 contiguous to the annexing municipality unless (i) the annexing  
9 municipality serves the area with at least one  
10 municipally-owned utility or the annexation agreement binds  
11 the annexing municipality to serve, and the municipality does  
12 serve, the area with at least one municipally-owned utility  
13 within 12 months of the execution of the agreement, and the  
14 area is not more than 5 miles from the nearest corporate  
15 boundary of the annexing municipality or (ii) the area is  
16 within one mile of the nearest corporate boundary of the  
17 annexing municipality.

18 For purposes of this Section, a "municipally-owned  
19 utility" means a municipally-owned gas, water, or electric  
20 service provider.

21 (d) This amendatory Act of the 94th General Assembly  
22 applies to all existing annexation agreements, subject to the  
23 vested rights of parties to existing annexation agreements.

24 (Source: P.A. 87-1137.)

25 Section 99. Effective date. This Act takes effect upon  
26 becoming law."